

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION**

DARREN ANDERSON, et al.,)	
)	
Plaintiffs,)	
)	
vs.)	CASE NO. 2:06-CV-951-MEF
)	
WAYNE FARMS LLC, A)	
DELAWARE CORPORATION)	
DOING BUSINESS IN ALABAMA,)	
)	
Defendants.)	

**JOINT MOTION TO CONTINUE DEADLINE
FOR RULE 26 REPORT**

Come now the parties and jointly move the Court to continue by 17 work days the deadline for filing the parties' report of planning meeting, so that instead of being due on December 28, 2006, the report will be due January 19, 2007. In support of this motion, the parties show the following:

1. Pursuant to Rule 26(f), the parties conducted a face-to-face planning conference on Thursday, December 14, 2006 in Birmingham. The report of this meeting is due December 28, 14 days after the meeting. The parties request additional time to develop a joint discovery plan, because of the complexities in this case, and the parties' hope of coordinating the schedules for this case and three other FSLA cases which involve essentially the same counsel, and the same defendant.

2. In addition, efforts to prepare a report of the planning meeting were complicated greatly by the filing of an overlapping case in the Southern District of Mississippi, which the parties learned of after the Rule 26(f) meeting. The parties in this case are attempting to

persuade plaintiffs' counsel in the new Southern District Mississippi case, which is a putative nation-wide collective action, to voluntarily eliminate the overlap.

3. Because of the need for the parties to confer further, and the difficulty over the remaining days of the holiday season of getting together from multiple locations the attorneys who need to confer, the parties jointly request that the deadline for filing their report be continued until January 19, 2007.

Respectfully submitted this the 22nd day of December, 2006.

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